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REVIEWS OF BOOKS

BOOKS OF ANCIENT HISTORY

The Roman Assemblies, from their Origin to the End of the Republic. By GEORGE WILLIS BOTSFORD, Professor of History in Columbia University. (New York: The Macmillan Company. 1909. Pp. x, 521.)

PROFESSOR BOTSFORD has in past years made important contributions in various learned publications to our knowledge of the social and political organizations of the Roman people. In this book we have a complete study of the whole subject, so far as the popular assemblies are concerned, and many who are familiar with the author's views on certain controverted points in this field of investigation will turn first to the chapters in this book in which these topics are discussed to see how his theories fit into a systematic treatment of Roman legislative institutions. Looking at his work from this point of view the most characteristic features of it are his application of the comparative method of study to the early history, his theory of the *plebs*, his definition of the terms *concilium* and *comitia*, and his theory that there was only one tribal assembly, which in the earlier and later periods contained both plebeians and patricians and met under the presidency of a tribune or a magistrate. In support of these views, as well as of the other conclusions which he reaches, Professor Botsford has made a thorough examination of the ancient and modern literature pertinent to the subject, and a keen critical analysis of the evidence and arguments which it furnishes.

In this brief review we can do little more than touch upon a few of the points of interest. To begin with the comparative method of study, the bearing of which is admirably stated on pp. 38-39, no one will be inclined to question the propriety of its use, but it plays a very secondary rôle by the side of the sources in arriving at the truth for the early period. Thus, for instance, the effective part of Professor Botsford's argument in support of his theory that the *plebs* were the mass of common freemen is based upon the ancient writers, upon etymology, and *a priori* considerations (*cf.* p. 37). Comparisons between the early Romans and other primitive peoples furnish some interesting parallels but are of little further service for the purpose in hand.

His analysis of the sources, however, has furnished the author with some very strong arguments in support of all the controverted points

mentioned above, and the whole forms a consistent and highly probable body of doctrine. His discussion of the terms *comitia* and *concilium* is especially brilliant and convincing. The uses of these two words in the Republic and under Augustus, he concludes in part (p. 137), "may be explained by two simple facts: (1) that whereas concilium is singular, comitia is plural; (2) that concilium suggests deliberation, discussion". "Concilium [is, therefore], the more general term within the political sphere; the assembly it designated may be organized or unorganized, whereas comitia applies only to assemblies organized in voting divisions" (p. 135).

So far as the composition and presidency of the tribal assembly or assemblies is concerned, Botsford holds that there was one tribal gathering only, that the patricians as well as the plebeians were admitted to it at first, were excluded from it as a result of the struggle from 449 to 339, but later were again allowed to attend (*cf.* pp. 300, 302, n. 1, 465). The composition of the body for Cicero's time was the same whether it met under the presidency of the tribune or of a magistrate, but under the former "it was technically the plebs", under the latter the *populus*. In defense of these propositions Botsford offers a very convincing array of arguments, the only weak point in the chain of evidence being the assumption (p. 276) that this patricio-plebeian assembly, when summoned by the tribune, was called the *plebs*.

The several Roman political institutions interacted upon one another to such an extent in their development that it is difficult to present a comprehensive treatment of one without a corresponding discussion of the others. This result, however, has been achieved rather more successfully in this book than it was by Willems in his similarly planned work on the Roman senate. But to the necessity of going outside the narrow range of his subject, we owe two of the most interesting and valuable sections of the book, those on the auspices and on the responsibility of magistrates for their political actions. The reviewer does not know of any such adequate treatment of these topics elsewhere.

On the other hand, the presentation in an uninterrupted form of the history of a single group of institutions has given us a clearer historical view of certain things than we have ever had before. To it we owe, for instance, a sketch of the development of modern theories upon many points in Roman constitutional history. To it we are indebted for an admirable history of comitial legislation. The chapters in which this last-mentioned topic is discussed bring out many important facts and raise some interesting queries. A case in point is the anomalous condition of affairs after 287 B.C., when the popular assemblies, having at last secured independence in legislative matters, failed to exercise it. Another is the failure of the centuriate *comitia* to pass any constitutional measure between 287 B.C. and the time of Sulla (*cf.* p. 236). Another still is the failure of the Romans to define clearly the field

within which each assembly should legislate (p. 239). It is extraordinary that this vagueness in defining functions did not cause trouble when party strife was intense. In such circumstances a question might well have been settled in different ways by the different assemblies.

We should have welcomed a brief appendix from Professor Botsford on the *comitia* in the towns outside Rome. These bodies continued to meet after the Roman assemblies had died out, and some interesting conclusions might have been drawn from a study of the inscriptions and from the ready-made written charters of Salpensa and Malaca with reference to the results of several centuries of practical experience in such matters at Rome. It is only, however, the admirable treatment which Professor Botsford has given to his chosen subject which makes us wish for this addition.

FRANK FROST ABBOTT.

The Conflict of Religions in the Early Roman Empire. By T. R. GLOVER. (London: Methuen. 1909. Pp. vi, 359.)

THE demand for a second edition of so solid a book within three months of original publication shows wide interest in the theme and bears witness to the skill of the author in handling it. The ground traversed is the well-trodden territory of the first two centuries, carried over somewhat into the third century in the study of such leaders as Celsus, Clement of Alexandria, and Tertullian. The underlying motive of Doctor Glover's book may be defined as the endeavor to place side by side sharply contrasted pictures of the popular superstitions and philosophical creeds of the pagan empire on the one hand and of developing Christian faith and thought on the other. But the balance is well preserved, and one feels continually the presence of an historical sense singularly free from bias and open to the very divergent phases of the theme. Paganism is portrayed without prejudice, indeed with admirable insight and sympathy. Christianity is interpreted sympathetically but without illusions as to its historic limitations.

The pre-eminent characteristic of the book is its exceptional insight into the lives and thoughts of individual leaders, the power to grasp the whole of a man and to make him real and living. This quality appears first of all in the noble, almost tender, picture of Vergil in his relation to Roman religion, a picture crowded into five pages of the narrative, but filled with rare comprehension, reminding one of Principal Shairp's essay on *Virgil as a Religious Poet* of many years ago. The sketch of Seneca, in the second chapter, makes the Stoic statesman a living personality, and, in spite of his weakness, endears him to us. "He is a man, trained in the world, in touch with its problems of government, with the individual and his questions of character, death and eternity—too great a man to take the purely negative stand of Thrasea, or to practise the virtue of the schools in 'arrogant indolence'. But he has